

c) REMARKS

The claims are 44-52 with claim 44 being independent. Support for the new claims is found, inter alia, on page 18, lines 6-20 and page 24, line 20 to page 25, line 11.

Former claims 23, 24, 27-38, 40 and 41 were solely rejected as a provisional obviousness-type double patenting over claims 1-63 of Application No. 09/478,884. That objection is respectfully traversed.

Application No. 09/478,884 ('884 Application) has not issued and is refiled as an RCE. Claims 1, 2, 4, 5, 9, 11-14, 19-23, 48, 50 and 61-63 are under examination. Claims 3, 6-8, 10, 15-18, 49, 51, 52 and 55-60 are cancelled and claims 24-47, 53 and 54 are withdrawn as non-elected. Under M.P.E.P. §804 (page 800-19) if the provisional double patenting rejection is the only objection remaining (as here), the Examiner should withdraw that rejection and permit the application to issue as a patent. Since the instant provisional double patenting rejection is the sole remaining objection, it should be withdrawn.

Further, none of the claims of the '884 Application recite a polymer with two or more adjacent methylene groups in a repeating unit. Such a polymer has higher orienting ability, thereby forming a structure with more regularity.

The claims should be allowed and the case passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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